

PROB 12C
(7/93)

Report Date: May 27, 2010

United States District Court

for the

Eastern District of Washington

Petition for Warrant or Summons for Offender Under Supervision

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MAY 28 2010

JAMES R. LARSEN, CLERK
DEPUTY
YAKIMA, WASHINGTON

Name of Offender: Jose Guadalupe-Contreras

Case Number: 2:05CR02120-001

Address of Offender: Incarcerated at the Yakima County Jail, Yakima, WA

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, Chief U.S. District Judge

Date of Original Sentence: 03/15/2006

Original Offense: Alien in United States After Deportation, 8 U.S.C. § 1326

Original Sentence: Prison - 37 Months; TSR - 36 Months Type of Supervision: Supervised Release

Asst. U.S. Attorney: Robert A. Ellis

Date Supervision Commenced: 06/14/2008

Defense Attorney: Rebecca Pennell

Date Supervision Expires: 06/13/2011

 PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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- | | |
|---|--|
| 1 | <u>Special Condition #14:</u> You are prohibited from returning to the United States without advance legal permission from the United States Attorney General or his designee. Should you reenter the United States, you are required to report to the probation office within 72 hours of reentry. |
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Supporting Evidence: The defendant illegally reentered the United States without permission on or about May 14, 2010, as noted in violation number 2.

Information received from the U.S. Immigration and Customs Enforcement, indicates the defendant was deported to Mexico on June 14, 2008, at San Ysidro, California, and has not obtained legal permission to reenter the United States.

- | | |
|---|--|
| 2 | <u>Mandatory Condition #2:</u> The defendant shall not commit another Federal, state, or local crime. |
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Supporting Evidence: On May 14, 2010, the defendant, under the alias Jorge Ramirez Perez, was arrested by the Yakima Police Department in Yakima, Washington, for third degree malicious mischief, Yakima Municipal Court case number G00060817.

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According to the police report, on May 14, 2010, officers with the Yakima Police Department responded to a residence in reference to a domestic violence call. Officers contacted the victim who reported she and the defendant had been living together for approximately 2 years. She stated on this date they got into a verbal argument and the defendant "dropped" a glass of juice in the hallway. Officers observed the broken glass and a hole in the drywall in the shape of a glass rim and explained to the victim the glass would have needed to be thrown with a certain amount of force to leave a hole in the wall and break.

Officers then spoke with the victim's daughter who reported when she arrived at the residence the victim and the defendant were arguing. The defendant threw his cell phone against the wall and the victim then yelled at her to call the police.

While at the residence officers located the defendant hiding in the corner of the backyard behind a shed and detained him. Upon questioning, the defendant admitted to throwing the glass against the wall leaving a hole, however, he stated it was an accident.

The defendant was arrested and transported to the Yakima City Jail for malicious mischief domestic violence.

On May 17, 2010, the defendant appeared for arraignment at the Yakima Municipal Court, regarding the above case number. The defendant was released on conditions and is to appear before the court on June 11, 2010.

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Mandatory Condition #2: The defendant shall not commit another Federal, state, or local crime.

Supporting Evidence: On May 25, 2010, a criminal complaint was filed with the U.S. District Court in the Eastern District of Washington, charging the defendant with Alien in the United States After Deportation, in violation of 8 U.S.C. § 1326, docket number 2:10M04086-JPH-1.

On May 26, 2010, the defendant made an initial appearance before the Court and was detained pending further court proceedings.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 05/27/2010

s/Jose Vargas

Jose Vargas
U.S. Probation Officer

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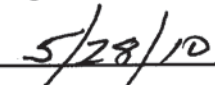
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THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer



Date